

FILED JUL 13 2011 3:58 PM SDJC-CV

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

ERIC ALLEN DOBBS

(Enter full name of plaintiff(s))

Plaintiff(s),

v. EUGENE Police  
INTERVIEW AFFAIRES  
HOLMBURKE SUNQUEST  
WEST, JENSON

(Enter full name of ALL defendant(s))

Defendant(s).

Civil Case No. 6:20-cv-01136-AA  
(to be assigned by Clerk of the Court)

PRISONER CIVIL RIGHTS  
COMPLAINT

I.

- A. Have you brought any other action or appeal in a court of the United States while a prisoner?

Yes ☐

No ☒

- B. If your answer to A is yes, how many? NA. Describe the lawsuit(s) in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiff(s): \_\_\_\_\_

Defendant(s): ERIC DOBBS

2. Court: HANE COUNTY CIRCUIT COURT
3. Docket Number: 17CR 40021
4. Name of judge to whom case was assigned: 51 JUDGES ZENNACHE
5. Disposition (Was the case dismissed? Was it appealed? Is it still pending?)  
CHARGES, ARE IN CONDUCTION WITH  
my case. MOST ARE SEPERATE,  
Only destruction of EVIDENCE
6. Approximate date of filing: 03/11/17
7. Approximate date of disposition: 06/26/17

II.

A. Place of confinement: OSP

B. Is there a prisoner grievance procedure in this institution?

Yes ☐

No ☒

C. Have you filed a grievance concerning the facts relating to this complaint?

Yes ☐

No ☒

If your answer is no, explain why not:

I wasnt incarcerated at  
time of incident. But refused use  
of law library. Untill conviction.

D. Is the grievance process completed?

Yes ☐

No ☒

## III. PARTIES

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff: ERIC ALLEN BOBBS  
 Security Identification No.: 22219549  
 Address: 2605 STATE ST.  
SALEM OREGON

(In item B, place the full name of each defendant, his/her official position, and his/her place of employment.)

B. Defendant EUGENE POLICE is employed as INTERNAL AFFAIRES  
 at 300 COUNTRY CLUB ROAD EUGENE OREGON 97401

Defendant BRIAN HOLMBURG is employed as Police property crime units  
 at 300 COUNTRY CLUB ROAD EUG, OR. 97401

Defendant SUNQUEST is employed as SGT, EUG POLICE  
 at 300 COUNTRY CLUB RD EUG, OR. 97401

Defendant J-WEST is employed as PATROL OFFICER  
 at 300 COUNTRY CLUB RD EUG, OR. 97401

Defendant JENSON is employed as PATROL OFFICER  
 at 300 COUNTRY CLUB RD EUG, OR.

Additional defendants: HAYWOOD SGT, WHITNESSES  
RAMP SECURITY GIBSON AND HIS PARTNER  
CHARLETON BROADWAY. Owner: of 515 E BROADWAY AVE  
FEMALE.

## IV. STATEMENT OF CLAIM

## Claim I

State what right under the Constitution, laws, or treaties of the United States has been violated.

14 AMENDMENT NO ONE SHALL ANYONE DEPRIVE  
PERSONS OF LIFE LIBERTY.

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

ON 03/10/2017 I was chased from the  
Police Sub Station, at 960 OLIVE ST to  
A parking ramp at BROADWAY AND CHARLESTON, EUGENE. 4am  
St by a large gang of men. I ASKED  
Security Officer GIBSON and his partner  
for help! The stood with me until the men  
gathered down the street watching one stood  
in the street 20 feet staring TATTOOS from  
face to waist. An Hour later, I was chased  
into a MOTEL where I called police a second  
time. WEST told everyone to go. I'll take care  
of it. When they were gone. HE LEFT ME  
There! REFUSED TO EVEN TAKE ME TO Police station  
or Hospital. Police report states I carried metal rod, knife  
was having mental health crisis, paranoid. Based on my training  
on some kind of narcotic! Still he left me!

## Claim II

State what right under the Constitution, laws, or treaties of the United States has been violated.

CONSTITUTION 14 AMENDMENT, NO ONE SHALL ANYONE  
DEPRIVE PERSONS OF LIFE or LIBERTY.

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

AFTER being chased from one <sup>BUSINESS</sup> ~~Business~~ to at 4 AM to another at 10 AM. For the second time. I explained I was in fear for my life. I was chased by a large gang. I found a gun in my Building 2 times and a gang who hid. It was after me. He knows about the call at 4 AM. HE asked me why I dont go to Country club RD? Im new here where is that? How far? 3-4 miles he says why dont you just go back to police sub station? It almost daytime Talk to the on duty SET and try to get Bus fair. 12 Hours later I was shot at in front of the Umpqua Bank.

### Claim III

State what right under the Constitution, laws, or treaties of the United States has been violated.

Due Process 14 AMENDANT US CONSTITUTION ARTICLE I  
Section 11 Destruction of EVIDENCE.

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

Surquest, lied on Police Report. Destroyed  
evidence altered video. I went into that Bank  
After 12 hours of being chased by a gang of men?  
To help MRS. FREEMAN, who stood by a bullet hole  
in a 5" piece of glass. After a 20x20 foot  
Bank wall fell over 20 feet to the street  
Surquest destroyed video of myself waiting for  
Police and asked me to leave. Only 7 seconds  
of evidence was left and altered 11 1/2 months later.

This affected my case OR 17 CR 40021 as police claim they came to check on me, later I can prove this was a lie.

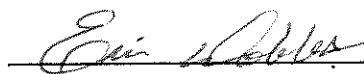
(If you have additional claims, describe them on another piece of paper, using the same outline.)

## V. RELIEF

State briefly exactly relief you are seeking. Make no legal arguments. Cite no cases or statutes.

ILLEGAL SEARCH SEIZURE 14 Amendment. Brian HOLMBURG orchestrated this perversion of the law. On 03/09/2017 HOLMBURG contacted my landlady TELLING her Police were following me trying to find a weapon used in a Robbery. EVEN ASK her to let me stay! This isn't residential housing she yelled! HOLMBURG, WEST, SUNQUEST, JENSON tortured me on 03/10/2017 AND INTERNAL AFFAIRS REFUSED TO INVESTIGATE OR ANSWER my letters.

Signed this 8 day of July, 2020.



(Signature of Plaintiff(s))

(PLEASE) EMAGINE how many others had there EVIDENCE DESTROYED! IVE written everyone up the chain! Not even a letter back. I dont know if my letters are leaving the Prison. IVE written INTERNAL AFFAIRS STATE COURT ADMIN, MAYOR LUCY, GOV Brown, Dep Auditor Atcher, OREG SUP CRT, US ATT OFF, US SUP CRT. Not one return letter.



## REPORTING OFFICER NARRATIVE

Eugene Police Department

OCA

17-03798

Victim

Society

Offense

FELON IN POSS OF FIREARM

Date / Time Reported

Fri 03/10/2017 22:17

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ICV/ CEPDJXJ 031017/2216  
 CEPDJXJ 031117/0305  
 CEPDJXJ 031117/0306

RC/ 17-03504, Robbery I  
 17-03773, Suspicious Conditions

## Source of Activity:

On March 10, 2017 I was on routine patrol in the area of 435 East Broadway, looking for Eric Allen Dobbs.

## Officer's Observation/Investigation:

On March 10, 2017 at approximately 0630 hours, Officer Heigh and I had contacted Eric Allen Dobbs due to an incomplete phone call he initiated from, 390 East Broadway.

During that contact, Dobbs stated he thought someone was "after" him. Dobbs had a difficult time explaining to me why he was in fear. He stated "they" thought he had a gun. I asked if he did have a firearm on his person and he stated he did not. I asked for consent to verify that he did not have a firearm and he stated I could check.

During the course of my search, Dobbs stated he had a syringe in his pocket and stated he believed the cap was no longer on the needle end. I located a used, uncapped syringe in his left inside coat pocket. I located a second needle inside his right coat pocket, which was left inside the wrapper. I asked Dobbs when he last used methamphetamine because he was exhibiting signs of drug use. Dobbs denied using drugs and stated he just wanted to get out of the state and go to Colorado. Officer Heigh and I gave Dobbs information on how to best contact someone about obtaining funds for a bus ticket out of town. *I did then to check around street*

Officer Heigh and I remained in the area to ensure Dobbs' safety, but were ultimately unable to locate any witnesses or corroborating evidence of people chasing him, or following him. My contact with Dobbs took place at approximately 0630 hours and took me to the end of my shift.

On March 10, 2017 at approximately 2100 hours, prior to briefing I observed a picture of a male resembling Dobbs. The picture was of a subject who was in the area of a possible shooting with took place at Umpqua Bank. Officer Heigh saw the picture and also identified the male as Dobbs.

I spoke with Officer West, who I know had contact with Dobbs the night before. Officer West told me that Dobbs stated he was staying near a boutique in the area near Whole Foods on East Broadway. I recalled that after speaking with me at the Campus Inn, Dobbs left north east of our location, placing him in the same area he told Officer West he stayed at.

After briefing, I contacted Officer West who stated he was already in the area of East Broadway. I met up with Officer West at 435 East Broadway. The building is located west of the Hub apartments, east of Whole Foods, and north of Campus Inn.

The building was a light, cream color and had multiple signs posted regarding trespassing. I observed a black spray painted sign which read "No Trespassing" in bold lettering of the side of the building. I observed the sign on both the west and east sides of the building. I also observed multiple signs which read "No Camping/Loitering on Lot or Around Building and Vehicles." This sign was written with bright red lettering and had a white background. All these

## REPORTING OFFICER NARRATIVE

Eugene Police Department

OCA

17-03773

Victim

UMPQUA BANK (675 OAK STREET)

Offense

UNLAWFUL USE OF WEAPON - AGG ASLT

Date / Time Reported

Fri 03/10/2017 16:31

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ICV/ cepdspd 031017 @ 1645 hours

E/ Sheet # 209435 - green backpack with duct tape on the straps

T/ Melissa Gonzales - Umpqua Bank - ~~XXXXXXXXXX~~ - ~~XXXXXXXXXX~~@umpquabank.com

PT/ Photos taken by Officer Dillon - uploaded to the Digital Image Server

RMD/ Forward to Violent Crimes Unit.

RMD/ Forward to Special Investigations Unit

## NARRATIVE

On 03-10-17, I was dispatched to ~~675 Oak~~ Street, Umpqua Bank, for the report of a shattered window, along with a male claiming somebody was shooting at him.

Upon arrival, Federal K-9 Officer W. Turner was on scene. He told me Kenneth Larson flagged him down, reporting a window was just shot, stating Larson didn't hear it himself, but claimed bank staff said they did. Officer Turner informed me a backpack was left in the bank when a male fled. We evacuated the bank and he rendered the backpack safe. I later seized the backpack and lodged it at the Evidence Control Unit. I noted it had black marker writing on it, something similar to DOBB. Officer Turner told me he noted it said E DOBBS. There was nothing suspicious in the bag nor personal identifiers within. The bag was consistent with items of a transient person (toiletries, bike part, etc.).

Investigation showed a window was still slowly shattering, with a spider web appearance covering almost the entirety of the window. I noted a quite precise round hole at the top, right side of the window (when facing outside to inside). The hole measured approximately 3 - 4 millimeters in diameter. The double pane glass was only shattered on the outer layer, with the inner layer intact. There was no projectile anywhere between the two panes of glass. No projectile was located at all. I observed the window and entrance it was directly beside was on the southwest side of the bank. At an angle, the entrance faced the intersection of West 7th Avenue and Oak Street, diagonally across from the Butterfly Lot on the opposite side of the intersection. The window was approximately three feet wide and approximately eight feet tall. Bank staff later advised the window was likely approximately \$800.00 dollars to repair with an estimated \$300.00 dollars of labor to have a new one installed.

I contacted Lena Freeman. Freeman told me she was on her way into the bank at the involved entrance when the window shattered. She said there was a man behind her that eventually said something similar to, I think they're shooting at me. The man started talking about owing a drug dealer money and that people were following him. Freeman went into the bank and the unknown male eventually came inside too. The male left the bank, leaving his green backpack in the lobby.

Freeman stated she did not hear any sound similar to a gunshot. She could hear the sounds of glass breaking, but nothing else was audibly noted.

I noted during the busy time of day, traffic noise was very loud. I often had to press against my ear piece to hear radio traffic.



## CASE SUPPLEMENTAL REPORT

Printed: 03/20/2017 11:16

Eugene Police Department

OCA: 1703798

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Case Status: CLEARED BY ARREST

Case Mng Status: ACTIVE/PENDING

Occurred:

Offense: .F.

Investigator: WEST, J. (EPD663)

Date / Time: 03/12/2017 07:49:12, Sunday

Supervisor: SANMIGUEL, D. (EPD362)

Supervisor Review Date / Time: 03/12/2017 14:23:45, Sunday

Contact:

Reference: Supplemental

RC/ Incident # 17056270

ICV/ CEPDJLW 03/10/2017 @ 2222

On March 09, 2017 at approximately 0440 hours Officer Orsborn and I responded to the area of W Broadway Avenue and Charnelton Street for a welfare check on a subject who was claiming to be chased by 15-20 subjects. Dispatch advised the caller, Devon Gibbison, was a Security Officer with Advance Security Company. Dispatch also advised the involved person who was being chased by the male subjects, said his name was Eric Dobbs. Gibbison described to dispatch that Dobbs was a 52 year old white male. Gibbison also told dispatch he was going to wait with Dobbs on scene until police arrived.

I arrived first on scene and contacted Dobbs. In Dobbs right hand he had a metal kickstand for a bike. I told Dobbs to put the kickstand down. Dobbs told me it was for his bike and asked if he could put it inside his backpack. I told Dobbs that was alright. Dobbs put the kickstand inside a green army rucksack with duct tape wrapped around the shoulder straps.

I asked Dobbs what was going on tonight. Dobbs requested that we go somewhere more private to talk. I asked Dobbs why and he got real quiet and told me some people were trying to kill him. I looked around the area and the only people around was Gibbison, a couple of other Security Officers Gibbison was working with, Dobbs and me. I told Dobbs that no one else was around and asked him what was going on tonight.

While talking with Dobbs he appeared paranoid. Based off of my training and experience I believed Dobbs was experiencing some sort of mental health crisis or under the influence of some narcotic. Dobbs had a hard time staying focused enough to tell me why he contacted Gibbison to call police.

I asked Dobbs to tell me more about the group of people who he said was trying to kill him. Dobbs told me that there was approximately 10 males chasing him and described them as college age males. Dobbs then stated they were in a gang. I asked Dobbs what made him believe they were in a gang. Dobbs just looked at me with a very confused look. I then asked Dobbs if they were wearing a common color or displaying similar symbols on their clothing. Dobbs told me they weren't wearing similar colors or displaying similar symbols on their clothing. I asked Dobbs if he could tell me what race the group of people were. Dobbs told me, "White, black and Mexican."

Investigator Signature: \_\_\_\_\_

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